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James Addison Barry, Jr.

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44,524

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2nd Attempt

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Transmittal Form PTO/SB/21 1 page

Office Action Amendment/Response 25 pages

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TRANSMITTAL FORM

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Total Number of Pages in This Submission 26

Application Number 09/774,147

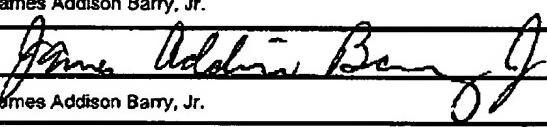
Filing Date 01/30/01

First Named Inventor James Martin Billings

Art Unit 3624

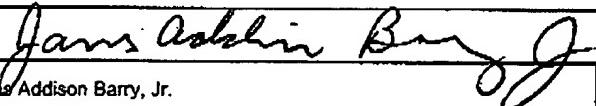
Examiner Name Narayanswamy Subramanian

Attorney Docket Number SSL

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply 25 pages <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	James Addison Barry, Jr.	
Signature		
Printed name	James Addison Barry, Jr.	
Date	24 June 2005	Reg. No. 44,524

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Typed or printed name	James Addison Barry, Jr.	Date	24 June 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application Number: 09/774,147
Amendment Dated 6/24/2005
Reply to Office Action of March 25, 2005

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JUN 24 2005

Serial No.: 09/774,147

Applicant: James Martin Billings

Filed: 01/30/2001

Group Art Unit: 3624

Examiner: Narayanswamy Subramanian

For: A METHOD AND SYSTEM FOR PROVIDING DOWNSIDE PROTECTION OF STOCK MARKET INVESTMENTS

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 25, 2005, having a shortened-statutory response period extending through and including June 24, 2005, please enter the attached amended claims, and consider the following remarks:

Introductory Comments:

This application has been carefully reviewed in light of the Office Action of March 25, 2005, wherein:

- A) Claim Rejections - 35 USC §112: Claims 4-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4 the phrase "is capable of" is vague and ambiguous. Similarly in claim 5 the phrase "being operative for" is vague and ambiguous. The Examiner stated that corrections were required. In claims 5-8, the Examiner stated that it is not